

[Counsel listed on signature page]

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PLAINTIFF PLUMBERS AND PIPEFITTERS
LOCAL 572 HEALTH AND WELFARE
PLANS, on behalf of itself and all others
similarly situated,

Plaintiff,

v.

ALZA CORPORATION, a California
Corporation,

Defendant.

CASE NO.: 06-CV-1074

Consolidated in MDL No. 1761

**STIPULATION AND ~~[PROPOSED]~~—
ORDER DISMISSING PLAINTIFF
PLUMBERS AND PIPEFITTERS'
COMPLAINT WITH PREJUDICE**

Honorable Jeffrey S. White

Pursuant to Federal Rule of Civil Procedure 41(a)(1), Plaintiff Plumbers and Pipefitters Local 572 Health and Welfare Plans ("Plumbers and Pipefitters") and Defendant Alza Corporation ("Alza"), by and through their counsel of record, respectfully submit the present stipulation dismissing Plumbers and Pipefitters' complaint in Case No. 06-CV-1074 and the consolidated amended complaint in MDL No. 1761. The parties further agree Plumbers and Pipefitters and Alza shall bear their own costs associated with the maintenance and defense of Case No. 06-CV-1074 and all actions consolidated in MDL No. 1761. THEREFORE, THE PARTIES HEREBY STIPULATE AND AGREE AS FOLLOWS:

1. Dismissal with prejudice. Plaintiff Plumbers and Pipefitters hereby dismisses with prejudice its complaint in Case No. 06-CV-1074 and currently consolidated with other complaints in the action captioned "In re Ditropan XL Antitrust Litigation, MDL No. 1761," presently pending before this Court. Concurrently herewith, Plumbers and Pipefitters shall file a voluntary dismissal with prejudice of the consolidated amended complaint in MDL No. 1761, currently pending before this Court.

2. Costs. Plumbers and Pipefitters and Alza shall bear their own costs and fees incurred in the prosecution and defense of Case No. 06-CV-1074 and all actions consolidated in MDL

No. 1761. In no event shall any party to Case No. 06-CV-1074 or to MDL No. 1761 be entitled to recover from or be required to pay to any adverse party fees, costs, or any other remuneration emanating out of this action as a result of the instigation, prosecution, defense, or dismissal with prejudice of Case No. 06-CV-1074 and MDL No. 1761.

Dated: December 17, 2007

By: _____/s/_____

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: December 18__, 2007


Honorable Jeffrey S. White
United States District Judge